

# EXHIBIT 1

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Help

## General Docket US Court of Appeals for the Second Circuit

Second Circuit Court of  
Appeals

INDIV

OPEN

Court of Appeals Docket #: 08-0327-op  
Nsult :

In Re: Kaprun Foreign Victims and Survivors,  
Heirs and Family Representative v. Filed 1/17/08

Appeal SDNY (NEW YORK CITY)  
from:

Case type information:

Original Proceeding

Extraordinary

None

Lower court information:

District: 01-md-1428

Trial Judge: Shira A. Scheindlin

MagJudge: Theodore H. Katz

Date Filed:

Date order/judgement:

Date NOA filed:

Fee status: Paid

Panel Assignment:

Panel:

Date of decision:

Prior cases: NONE

Current cases NONE

Official Caption 1/

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In Re: Kaprun Foreign Victims and Survivors  
Heirs and Family Representatives,

Petitioners.  
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Docket No. [s] : 08-0327 -op  
Rudolf Kern, Individually and on behalf of the Estate  
of Erich Kern, Angela Kern, Individually and on behalf  
of the Estate of Erich Kern, John S. Habblett LTC, LTC  
, individually on behalf of te Estates of Jennifer  
Kirkpatrick Habblett Goodridge, Michael Jonclair  
Goodridge and Kyle William Goodridge, Suzanne K.  
Habblett, Individually on behalf of te Estates of  
Jennifer Kirkpatrick Habblett Goodridge, Michael  
Jonclair Goodridge and Kyle William Goodridge, Dick  
Baker, Individually and on behalf of the Estate of  
Carrie Lynn Baker, Carol Baker, Individually and on  
behalf of the Estate of Carrie Lynn Baker, Claire  
Goodridge, Individually as surviving father and as  
personal representative of the estate of Maj. Michael  
Chair Goodridge, deceased, and individually as surviving,  
Karen Filkil, Masatoshi Mitsumoto,

Petitioners,

v.

Leitner Lifts USA Inc., Österreichische  
Elektrizitätswirtschafts AG, Siemens AG, doing business  
as Siemens Corporation, Siemens AG Österreich,  
Heitkamp, Inc., Bosch Rexroth AG, Bosch Rexroth  
Corporation, Siemens Corporation, Wika Alexander  
Wiegand GmbH & Co. KG, Robert Bosch Corporation,  
Hydac Technology Corp., Siemens Transportation Systems,  
Inc., Wika Instrument Corporation, Gletscherbahnen  
Kaprun Aktiengesellschaft,

## Respondents,

Leitner S.p.A., Waagner Biro AG, Swoboda Karosserie AG,  
Bauberufszentrum Stadlbauer AG, ABC Corporations  
1-10, John Does 1 through 10, Swoboda Karosserie-Und  
Stahlbau GmbH, Verbund-Austrian Hydro Power AG,  
successor in interest to Tauernkraftwerke AG, Tauren  
Touristik GmbH, Thyssenkrupp AG, Intersport Austria  
GmbH, Intersport International Corporation, Intersport  
Marketing USA,

## Defendants.

-----  
Authorized Abbreviated Caption 2/  
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Docket No. [s] : 08-0327 -op

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In Re: Ski Train Fire v.  
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Docket as of January 22, 2008 9:58 pm

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1/ Fed. R. App. P. Rule 12 [a] and 32 [a].  
2/ For use on correspondence and motions only.

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ABC Corporations 1-10

Defendant

Bauberdarfszentrum Stadlbauer  
AG

Defendant

Intersport Austria GmbH

Defendant

Intersport International  
Corporation  
Defendant

Intersport Marketing USA

Defendant

John Does 1 through 10

Defendant

Docket as of January 22, 2008 9:58 pm

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Leitner S.p.A.

Defendant

Swoboda Karoserie AG

Defendant

Swoboda Karosserie-Und  
Stahlbau GmbH  
Defendant

Tauren Touristik GmbH

Defendant

ThyssenKrupp AG

Defendant

Verbund-Austrian Hydro Power  
AG  
Defendant

Wagner Biro AG

Docket as of January 22, 2008 9:58 pm

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Defendant

Bosch Rexroth Corporation

Arnd N. Waldow Esq.

Respondent

[ LD ret ]  
Reed Smith

435 Sixth Avenue  
Pittsburg , PA , 15219

412.288.7242

Robert Bosch Corporation

Arnd N. Waldow Esq. (See above)

Respondent

[ LD ret ]

Bosch Rexroth AG

Arthur J. Liederman Esq.

Respondent

[ LD n ]  
Morrison, Mahoney & Miller

17 State St.

New York , NY , 10004

212-825-1212

Siemens AG

Brant W. Bishop Esq.

Respondent

[ LD ret ]  
Kirkland & Ellis LLP655 15th St., N.W.  
Washington , DC , 20005

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202-879-5000

Siemens AG Oesterreich

Brant W. Bishop Esq.(See above)

Respondent

[ LD ret ]

Siemens Corporation

Brant W. Bishop Esq.(See above)

Respondent

[ LD ret ]

Siemens Transportation  
Systems, Inc.

Brant W. Bishop Esq.(See above)

Respondent

[ LD ret ]

Angela Kern

Edward Davis Fagan Esq.

Petitioner

[ LD ret ]  
Fagan & Associates

5 Penn Plaza

New York , NY , 10001

646-378-2225

Carol Baker Edward Davis Fagan Esq. (See  
above)  
Petitioner [ LD ret ]

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Dick Baker Edward Davis Fagan Esq. (See  
above)  
Petitioner [ LD ret ]

John S. Habblett Edward Davis Fagan Esq. (See  
above)  
Petitioner [ LD ret ]

Karen Filkil Edward Davis Fagan Esq. (See  
above)  
Petitioner [ LD ret ]

Masatoshi Mitsumoto Edward Davis Fagan Esq. (See  
above)  
Petitioner [ LD ret ]

Rudolf Kern Edward Davis Fagan Esq. (See  
above)  
Petitioner [ LD ret ]

Suzanne K. Habblett Edward Davis Fagan Esq. (See  
above)  
Petitioner [ LD ret ]

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[ ] INDIV  
OPEN

Wika Alexander Wiegand GMBH Eileen T. McCabe Esq.  
& Co. KG



## Respondent

[ LD ret ]  
Mendes & Mount

750 7th Ave.  
New York , NY , 10019

212-261-8283

## Wilka Instrument Corporation

Eileen T. McCabe Esq. (See above)

## Respondent

[ LD ret ]

## Heitkamp, Inc.

Herbert Rubin Esq.

## Respondent

[ LD ret ]  
Herzfeld & Rubin

40 Wall St.  
New York , NY , 10005

212-471-8500

## Claire Goodridge

Kenneth P. Nolan Esq.

## Petitioner

[ LD ret ]  
Speiser Krause Nolan & Granito

140 E. 45th St. 2 Grand Central  
New York , NY , 10017

212-661-0011

## Leitner Lifts USA Inc.

Kim M. Catullo Esq.

## Respondent

[ LD ret ]  
Gibbons Del Deo, Dolan,  
Griffinger & Vecchione

Docket as of January 22, 2008 9:58 pm

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1 Penn Plaza

New York , NY , 10119

212-649-4700

Hydac Technology Corp.

Nancy Ledy-Gurren Esq.

Respondent

[ LD ret ]

Ledy-Gurren &amp; Blumenstock

475 Park Ave. S.

New York , NY , 10016

212-447-1111

Osterreichische  
Elektrizitatswirtschafts AG  
RespondentOsterreichische  
Elektrizitatswirtschafts AG

n/a

Gibbons Del Deo, Dolan,

Griffinger &amp; Vecchione

1 Penn Plaza

New York , NY , 10119

Gletscherbahnen Kaprun

Robert A. Weiner Esq.

Aktiengesellschaft

Respondent

[ LD ret ]

McDermott Will &amp; Emery LLP

340 Madison Avenue

New York , NY , 10017

212.547.5400

Docket as of January 22, 2008 9:58 pm

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□

INDIV

OPEN

1/17/08 Case Docketed: Petition for Writ of Mandamus

on behalf of PETITIONER Angela Kern,  
Carol Baker, Dick Baker, John Habblett,  
ET AL, filed, with proof of service.

[Entry date Jan 18 2008 ] [MR]

1/18/08 Note PRIOR case number(s): 07-0959-cv.

[Entry date Jan 18 2008 ] [MR]

1/18/08 Note RELATED case number(s):07-4121-cv,  
07-5317-cv. [Entry date Jan 18 2008 ]  
[MR]

1/18/08 Copy of receipt re: payment of docketing fee  
filed on behalf of PETITIONER Angela Kern,  
Carol Baker, Dick Baker, John Habblett,  
ET AL. RECEIPT #2 191502. [Entry date  
Jan 18 2008 ] [MR]

Docket as of January 22, 2008 9:58 pm

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### PACER Service Center

#### Transaction Receipt

01/24/2008 07:51:22

PACER Login:	ef0762	Client Code:	
Description:	dk report	Case Number:	08-0327
Billable Pages:	10	Cost:	0.80

# EXHIBIT 2

**From:** NYSD\_ECF\_Pool@nysd.uscourts.gov

**To:** deadmail@nysd.uscourts.gov

**Subject:** Activity in Case 1:07-cv-10293-SAS Edward D. Fagan, Esq. v. James F. Lowy, Esq. et al Order

**Date:** Wed, 2 Jan 2008 1:56 pm

This is an automatic e-mail message generated by the CM/ECF system. Please **DO NOT RESPOND** to this e-mail because the mail box is unattended.

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U.S. District Court

United States District Court for the Southern District of New York

### Notice of Electronic Filing

The following transaction was entered on 1/2/2008 at 1:54 PM EST and filed on 12/28/2007

**Case Name:** Edward D. Fagan, Esq. v. James F. Lowy, Esq. et al

**Case Number:** 1:07-cv-10293

**Filer:**

**Document Number:** 7(No document attached)

**Docket Text:**

**ORDER** that I hereby recuse myself sua sponte with respect to any future proceedings in this action pursuant to 28 USC 455(a). A stay of all proceedings is ordered pending reassignment of this matter. The Clerk of the Court is directed to reassign this action, and to refer all further proceedings to the Judge to whom this action shall be reassigned. (Signed by Judge Shira A. Scheindlin on 12/26/07) (dle)

1:07-cv-10293 Notice has been electronically mailed to:

Edward Davis Fagan [faganlawintl@aim.com](mailto:faganlawintl@aim.com)

Michael Richard Perle [m.perle@earthlink.net](mailto:m.perle@earthlink.net)

Robert J Hantman [hantmanrj@aol.com](mailto:hantmanrj@aol.com)

1:07-cv-10293 Notice has been delivered by other means to:

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

EDWARD D. FAGAN, DR. BERND  
GEIER, and DR. GERHARD  
PODOVSOVNIK,

Plaintiffs,

- against -

JAMES F. LOWY, INTERNATIONAL  
LAW GROUP, LLC, ROBERT J.  
HANTMAN, and HANTMAN &  
ASSOCIATES,

Defendants.

**ORDER**

07 Civ. 10293

SHIRA A. SCHEINDLIN, U.S.D.J.:

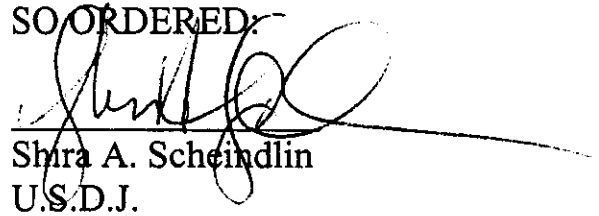
By Opinion and Order dated August 16, 2007, this Court disqualified Edward D. Fagan from further participation on behalf of plaintiffs in a number of actions related to the above-captioned case. In so holding, I found that Mr. Fagan had “engaged in a pattern of unethical behavior” that warranted his disqualification as well as the imposition of sanctions.<sup>1</sup> In light of my holding regarding Mr. Fagan’s misconduct and without having reviewed any submissions filed by any party in the above-captioned action, I hereby recuse myself sua sponte with respect to any future proceedings in this action pursuant to 28 U.S.C. §

<sup>1</sup> See *In re Ski Train Fire in Kaprun Austria on November 11, 2000*, Nos. 01 MDL 1428, 03 Civ. 8960, 03 Civ. 8961, 06 Civ. 2811, 07 Civ. 935, 07 Civ. 3881, 07 Civ. 4104, 2007 WL 2398697, at \*3 (S.D.N.Y. Aug. 16, 2007).

455(a). A stay of all proceedings is ordered pending reassignment of this matter.

The Clerk of the Court is directed to reassign this action, and to refer all further proceedings to the Judge to whom this action shall be reassigned.

SO ORDERED:



Shira A. Scheindlin  
U.S.D.J.

Dated: New York, New York  
December 26, 2007

**- Appearances -**

**For Plaintiffs:**

Edward D. Fagan, Esq.  
Five Penn Plaza, 23rd Floor  
New York, NY 10001  
(646) 378-2225

**For Defendants James F. Lowy and International Law Group, LLC:**

Michael Richard Perle, Esq.  
Michael R. Perle, P.C.  
1265 Paterson Plank Road  
Secaucus, NJ 07094  
(212) 864-0423  
Fax: (201) 617-5500

**For Defendants Robert J. Hantman and Hantman & Associates:**

Robert J. Hantman, Esq.  
Hantman & Associates  
1414 Avenue of the Americas  
Suite 406  
New York, NY 10016  
(212) 684-3933  
Fax: (212) 684-0920



# EXHIBIT 3

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
CHAMBERS OF JUDGE SHIRA A. SCHEINDLIN  
NEW YORK, NEW YORK 10007  
Telephone (212) 805-0246  
Telefax (212) 805-7920

FACSIMILE COVER SHEET

The information contained in this facsimile message is intended only for the use of the individual or entity named below. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the above address via the U.S. Postal Service.

ADDRESSEE: Edward W. Togan

ADDRESSEE FACSIMILE TELEPHONE NUMBER: 646) 304-6446

NAME OF COMPANY: \_\_\_\_\_

COMPANY TELEPHONE NUMBER: \_\_\_\_\_

CITY AND STATE: 5 Penn Plaza, N.Y., N.Y.

DATE TRANSMITTED: \_\_\_\_\_ TIME TRANSMITTED: \_\_\_\_\_

SENDER/NAME: JUDGE SHIRA A. SCHEINDLIN

OPERATOR: Cornie Daugherty

CASE NAME: Blainbauer, et al. v. Cunningham

DOCKET NUMBER: WDC 1428

NUMBER OF PAGES Including Cover Sheet: 7

**IMPORTANT!**

MESSAGE: PLEASE DELIVER IMMEDIATELY!

\_\_\_\_\_ Original will NOT follow \_\_\_\_\_ Original WILL follow

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
**IN RE: SKI TRAIN FIRE IN KAPRUN :**  
**AUSTRIA ON NOVEMBER 11, 2000 :**  
-----X

**MDL # 1428 (SAS)**

**This document relates to the following actions:**

-----X  
**JOHANN BLAIMAUER, et al., :**

**ORDER**

**Plaintiffs, :**

**- against - :**

**03-CV-8960 (SAS)**

**OMNIGLOW CORPORATION, et al., :**

**Defendants. :**

-----X  
-----X  
**HERMAN GEIER, et al., :**

**Plaintiffs, :**

**- against - :**

**03-CV-8961 (SAS)**

**OMNIGLOW CORPORATION, et al., :**

**Defendants. :**

-----X  
-----X  
**NANAE MITSUMOTO, et al., :**

**Plaintiffs, :**

**- against - :**

**06-CV-2811 (SAS)**

**THE REPUBLIC OF AUSTRIA, et al., :**

**Defendants. :**

-----X

-----X  
**NANAE MITSUMOTO, et al.,** :

**Plaintiffs,** :

**- against -** :

**07-CV-935 (SAS)**

**ROBERT BOSCH** :  
**CORPORATION, et al.,** :

**Defendants.** :

-----X

-----X

**JOOP H. STADMAN, et al.,** :

**Plaintiffs,** :

**- against -** :

**07-CV-3881 (SAS)**

**AUSTRIAN NATIONAL TOURIST** :  
**OFFICE INC., et al.,** :

**Defendants.** :

-----X

-----X

**RASTKO and DRAGICA FERK, et al.,** :

**Plaintiffs,** :

**- against -** :

**07-CV-4104 (SAS)**

**OMNIGLOW CORPORATION, et al.,** :

**Defendants.** :

-----X

**SHIRA A. SCHEINDLIN, U.S.D.J.:**

By Order dated December 26, 2007 (the "December 26 Order"), this  
 Court recused itself sua sponte with respect to any future proceedings in the action

JAN-04-2008 12:38

captioned *Edward D. Fagan, Dr. Bernd Geier, and Dr. Gerhard Podovsovnik v. James F. Lowy, International Law Group, LLC, Robert J. Hantman, and Hantman & Associates*, 07 Civ. 10293, pursuant to 28 U.S.C. § 455(a). Because the Court had previously disqualified Edward D. Fagan from appearing as counsel in the *In re Ski Train Fire in Kaprun Austria on November 11, 2000* ("Ski Train") cases and sanctioned him for his pattern of unethical conduct,<sup>1</sup> the Court found it appropriate to recuse itself from the suit in which Mr. Fagan himself is a party. The December 26 Order, however, takes no action with respect to the *Ski Train* cases, in which Mr. Fagan no longer appears as counsel on behalf of any party. To the extent Mr. Fagan's letter to the Court, dated January 2, 2008, renews his motion to recuse this Court in the *Ski Train* cases, that motion is again denied for all of the reasons previously stated.<sup>2</sup>

Additionally, in violation of section I.B. of the Court's Individual Rules and Procedures, Mr. Fagan has routinely transmitted lengthy correspondence to the Court without obtaining prior approval.<sup>3</sup> Because Mr. Fagan no longer appears before the Court in any action either as a party or as

---

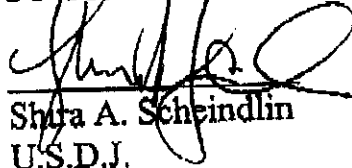
<sup>1</sup> See *In re Ski Train Fire in Kaprun Austria on November 11, 2000*, Nos. 01 MDL 1428, 03 Civ. 8960, 03 Civ. 8961, 06 Civ. 2811, 07 Civ. 935, 07 Civ. 3881, 07 Civ. 4104, 2007 WL 2398697, at \*3 (S.D.N.Y. Aug. 16, 2007).

<sup>2</sup> See 8/28/07 Order. See also 12/20/07 Order.

<sup>3</sup> See 10/31/05 Individual Rules and Procedures of Judge Shira A. Scheindlin, § I.B.

counsel, he is not to make any further motions or direct any further correspondence to this Court. Mr. Fagan has repeatedly moved to recuse this Court in the *Ski Train* cases. He has also repeatedly moved for reconsideration of this Court's previous Orders in the *Ski Train* cases. Each time, his motions have been denied. Any further motions seeking the same relief will be frivolous. Mr. Fagan's remedy, if any, lies with the Court of Appeals. A violation of this Order may warrant the imposition of sanctions.

SO ORDERED:

  
Shira A. Scheindlin  
U.S.D.J.

Dated: New York, New York  
January 3, 2008

JAN-04-2008 12:38

**- Appearances -**

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(813) 282-0384

*For Defendant Bosch Rexroth Corp., Robert Bosch Corp.:*

Neil Rosolinsky, Esq.  
Reed Smith LLP  
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(212) 549-0391

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Ryan M. Morettini, Esq.  
Kirkland & Ellis LLP  
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Robert W. Littleton, Esq.  
Littleton Joyce Ughetta & Park LLP

39 Broadway, 34th Floor  
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*For Defendant Wika Instrument Corp.:*

Eileen T. McCabe, Esq.  
Stephen Roberts, Esq.  
William Lalor, Esq.  
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New York, NY 10019  
(212) 261-8000

*For Defendant Hydac Technology Corp.:*

Nancy Ledy-Gurren, Esq.  
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New York, NY 10016  
(212) 447-1111

*For Defendants American Cyanamid Inc. and Omniglow Corp.:*

E. Gordon Haesloop, Esq.  
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(516) 877-2900

*For Defendant Exxon Mobil:*

John F. Tully, Esq.  
Robert Owen, Esq.  
Fulbright & Jaworski LLP  
666 Fifth Avenue  
New York, NY 10103  
(212) 318-3000



# EXHIBIT 4

M/ECF Version 3.1.1

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RELATED

**U.S. District Court  
United States District Court for the Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:07-cv-10293-SAS**

Edward D. Fagan, Esq. v. James F. Lowy, Esq. et al  
Assigned to: Judge Shira A. Scheindlin  
Demand: \$5,000,000  
Related Case: 1:01-md-01428-SAS-THK  
Case in other court: Supreme Court-County of New York, 114562-07  
Cause: 28:1442 Notice of Removal

Date Filed: 11/13/2007  
Jury Demand: None  
Nature of Suit: 890 Other Statutory Actions  
Jurisdiction: Federal Question

**Plaintiff**

**Edward D. Fagan, Esq.**

represented by **Edward Davis Fagan**  
Edward D. Fagan, Esq.,  
Regus Worldwide Office Centers  
Five Penn Plaza  
23rd Floor  
New York, NY 10001  
(646) 378-2225  
Fax: (646) 417-5558  
Email: faganlawintl@aim.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**V.**

**Defendant**

**James F. Lowy, Esq.**

represented by **Michael Richard Perle**  
Michael R. Perle, PC  
1265 Paterson Plank Road  
Secaucus, NJ 07094  
(212) 864-0423  
Fax: (201)-617-5500

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Email: m.perle@earthlink.net  
**ATTORNEY TO BE NOTICED**

**Defendant****International Law Group, LLC**

represented by **Michael Richard Perle**  
 (See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant****Robert Hantman, Esq.**

represented by **Robert J Hantman**  
**Hantman & Associates**  
 1414 Avenue of the Americas  
 Suite 406  
 New York, NY 10016  
 (212) 684-3933  
 Fax: (212) 684-0920  
 Email: hantmanrj@aol.com  
**ATTORNEY TO BE NOTICED**

**Defendant****Hantman & Associates**

represented by **Robert J Hantman**  
 (See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**John Does**  
 1-5

**Defendant**

**Jane Does**  
 1-5

Date Filed	#	Docket Text
11/13/2007	1	NOTICE OF REMOVAL from Supreme Court, County of New York. Case Number: 114562-07. (Filing Fee \$ 350.00, Receipt Number 632480). Document filed by James F. Lowy, Esq., International Law Group, LLC, Robert Hantman, Esq., Hantman & Associates (mbe) (Entered: 11/16/2007)

SDNY CM/ECF Version 3.1.1

[https://ecf.nysd.uscourts.gov/cgi-bin/DktRpt.pl?923981243787765-L\\_889\\_0-1](https://ecf.nysd.uscourts.gov/cgi-bin/DktRpt.pl?923981243787765-L_889_0-1)

11/13/2007		CASE REFERRED TO Judge Shira A. Scheindlin as possibly related to 1:01MDL1428. (mbe) (Entered: 11/16/2007)
11/13/2007	2	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by James F. Lowy, Esq., International Law Group, LLC, Robert Hantman, Esq., Hantman & Associates.(mbe) (Entered: 11/16/2007)
11/26/2007	3	NOTICE OF APPEARANCE by Edward Davis Fagan on behalf of Edward D. Fagan, Esq. (Fagan, Edward) (Entered: 11/26/2007)
11/29/2007		CASE ACCEPTED AS RELATED. Create association to 1:01-md-01428-SAS-THK. Notice of Assignment to follow. (laq) (Entered: 12/05/2007)
11/29/2007	4	NOTICE OF CASE ASSIGNMENT to Judge Shira A. Scheindlin. Judge Unassigned is no longer assigned to the case. (laq) (Entered: 12/05/2007)
11/29/2007		Magistrate Judge Theodore H. Katz is so designated. (laq) (Entered: 12/05/2007)
12/05/2007		Mailed notice to the attorney(s) of record. (laq) (Entered: 12/05/2007)
12/13/2007	5	MOTION for Extension of Time <i>and Motion to Seal and for Other Relief</i> . Document filed by Edward D. Fagan, Esq..(Fagan, Edward) (Entered: 12/13/2007)
12/13/2007	6	NOTICE of Exhibits to Motion to Seal and For Other Relief re: 5 MOTION for Extension of Time <i>and Motion to Seal and for Other Relief</i> . Document filed by Edward D. Fagan, Esq.. (Attachments: # 1 Exhibit 2 to Motion, # 2 Exhibit 3 to Motion)(Fagan, Edward) (Entered: 12/13/2007)
12/28/2007	7	ORDER that I hereby recuse myself sua sponte with respect to any future proceedings in this action pursuant to 28 USC 455(a). A stay of all proceedings is ordered pending reassignment of this matter. The Clerk of the Court is directed to reassign this action, and to refer all further proceedings to the Judge to whom this action shall be reassigned. (Signed by Judge Shira A. Scheindlin on 12/26/07) (dle) (Entered: 01/02/2008)

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Notwithstanding to whomsoever the right of appeal may be assigned, the appellant shall be responsible for the payment of the cost of the appeal, including the cost of the transcript, the cost of the filing fee, and the cost of the appeal bond, if any. The appellant shall also be responsible for the payment of the cost of the appeal, including the cost of the transcript, the cost of the filing fee, and the cost of the appeal bond, if any.